

Mike Palmer
18402 N. 19th Ave., #109
Phoenix, AZ 85023
(602) 513-3738
mikepalmer_arizona@fastmail.fm

**IN THE SUPREME COURT
STATE OF ARIZONA**

In the Matter of:

PETITION TO AMEND
RULE 123 OF THE RULES OF THE
SUPREME COURT

Supreme Court No. R-13-0023

**Petitioner's Reply to Comment by
the CIDVC re: petition to Amend
Rule 123 of the Rules of the Supreme
Court**

Mike Palmer, petitioner, replies to the Committee on the Impact of
Domestic Violence and the Courts. (CIDVC.)

DISCUSSION

First, so as to not lose focus, my petition is for the entire court, not just the
CIDVC.

Nor am I accusing the CIDVC of failing to comply with the Court's
Administrative Rules requiring that meeting minutes are available for inspection
within 20 working days after a meeting. That was never an issue in my petition.
(I never tried to physically inspect the CIDVC's record, although I have inspected
public records in other departments.)

Rather, my petition, which I revise at bottom, is that the Court requires its
committees to post minutes on the Internet in a timely manner.

Now, in its Comment the CIDVC says "a change to Rule 123 . . . is neither appropriate nor necessary"

What could possibly be inappropriate about posting meeting minutes on the Internet? The CIDVC already does it — sometimes. I'm simply asking that posting minutes be a requirement. And a timely one at that. It takes no more than a few mouse clicks and entering a password. It's not hard.

As for the necessity: Our government is supposed to be transparent. Rule 123 acknowledges that.

One way that the government is transparent is through citizen oversight.

One way that citizens perform oversight is by inspecting the public record.

As it stands now, inspecting the record means a citizen has to call ahead to locate the record, probably make an appointment (although strictly speaking, Rule 123 does not allow for that), take time off from work to drive down to the courthouse, find a place to park, wait for a staffer, etc. If it doesn't cost time, it costs (gas) money.

How much easier for everyone if the Court reliably posted meeting minutes on the Internet. No calling, no appointment, no gas money. It's also easier, more economical and efficient for the Court. Staffers don't have to make appointments, pull records, print them out, babysit us as we inspect the record, etc.

This way, citizens can inspect the record at their leisure whenever they want. More eyes watching is always a good thing for public confidence in the judiciary.

While neither the Executive nor Legislative branches require that meeting minutes be posted on the Internet (even though, in practice, they do it anyway), that fact does not prevent the Court from imposing such a requirement on itself. The Court can be a trailblazer here, setting a higher standard for the Executive and Legislative to follow.

AMENDING MY PROPOSED AMENDMENT

Now that I know (from the CIDVC's Comment) that your rules about meeting minutes are in the Arizona Code of Judicial Administration (ACJA), and that you have given yourselves 20 working days to have draft minutes available for public inspection, I revise my petition. I request that the ACJA be amended to make it a requirement that draft meeting minutes for all public meetings be posted prominently on the Internet within 20 working days after a meeting.

CONCLUSION

Your Rule 123 acknowledges that "this state has always favored open government and an informed citizenry." In light of Rule 123, the Court should grant my petition. In this day and age of the Internet, the public expects this kind

of access from out government.

Submitted this 1st day of July 2013.

By : /s/ Mike Palmer
18402 N. 19th Ave., #109
Phoenix, AZ 85023